



CHILD IN NEED OF SERVICES PETITION (CHINS) PACKET

The attached information sheet, check list and forms are for use in the Child in Need of Services (CHINS) Petition.

There is no fee for filing.

The person filing this paperwork is referred to as “Petitioner”.
This is a petitioner driven action, the petitioner is responsible
for reading these instructions and knowing how to file.

Included in this packet are the following:

1. Checklist for filing petitions
2. Child in Need of Services (CHINS) Petition.
3. Parent’s Financial Statement

CHECK LIST FOR FILING PETITIONS UNDER 13.32A RCW

The following check list is intended to assist persons wishing to file a Child in Need of Services (CHINS) Petition with the Snohomish County Juvenile Court.

- ☐ 1. **Mandatory** Family Reconciliation Services Assessment.
Prior to filing your paperwork you must contact the nearest Division of Children and Family Services (DCFS) to obtain a Family Reconciliation assessment. DCFS will also provide services to the family and referrals for services that may be needed.

FAMILY RECONCILIATION SERVICES

CENTRAL INTAKE – 1-866-829-2153

CENTRAL INTAKE – AFTER HOURS – 1-800-562-5624

Upon completion of the family assessment the caseworker will provide you with verification of the completed assessment and will fax the assessment to the Intake Assistant at Juvenile Court.

- ☐ 2. Complete the Petition. **FILL OUT IN BLUE OR BLACK INK ONLY!! DO NOT WRITE ON THE BACK OF THE FORMS.** Fill in all parts of the petition, particularly the “Alternatives to Court Intervention” and “Allegations” sections, sign, and date. If you do not have enough room on the paper provided, continue on an 8 ½ x 11 sheet of paper
- ☐ 3. Complete and sign the financial statement included in this packet if the petitioner is the parent.
- ☐ 4. You must call ahead to schedule a screening appointment with Intake Assistant **Laurenna Wilkins** at **(425) 388-7954** at Denney Juvenile Justice Center, 2801-10th Street, Everett, WA 98201. At the time of your appointment bring your completed petition, parent’s financial statement, and written verification of a completed family assessment by DCFS and any supporting documents or household rules. **IF YOUR PAPERWORK IS BROUGHT TO THE APPOINTMENT INCOMPLETE, YOUR APPOINTMENT WILL BE RESCHEDULED TO ANOTHER TIME.**

****WE REGRET NOT BEING ABLE TO ACCEPT WALK-IN APPOINTMENTS**
WALK-INS WILL BE SCHEDULED AN APPOINTMENT AND EXPECTED TO RETURN**

Once the petition has been screened, we will prepare the notice of hearing.

- ❑ 5. After the notice of hearing is prepared, you will be provided with the following:
 - a. A court date within the statutory time limit.
 - b. Notice of Hearing form and a copy of the petition
 - c. Notice of Hearing for the other parties (**When a child files a CHINS petition the youth is responsible for arranging service of the parent**).
 - d. Declaration of Service
 - e. Original petition and all other originals to be filed with Clerk's.

5.1 **It is the petitioner's responsibility to file the original petition with the Court Clerks office. To file the original petition follow the steps below.**

- a. Take the original petition and calendar note to the Clerk's office.
- b. Give the original petition and calendar note to the clerk and tell that person you are filing an original.
- c. Hand the clerk all copies of the notice of hearing and ask that person to sign and seal them. They will give these back to you when the process is done.

- ❑ 6. Parent and youth must attend the court hearing (fact-finding). Court will be in Department 3 at the Denney Juvenile Justice Center 2801 10th Street Everett. Please call (425) 388-7800 for directions.

At the initial court hearing (Fact-Finding), the court will decide if the petition meets the legal requirements. If the court accepts the petition, a dispositional hearing may occur on the same date as the fact-finding or may be held within 14 days after the fact-finding. The dispositional hearing will address specific conditions for the child and parents if they were not addressed at the initial dispositional hearing.

A review hearing will be set at the initial fact-finding in approximately 90 days. The CHINS Petition shall be dismissed no later than 270 days from the Fact Finding Hearing.

Failure by any party, including the child and the parents, to comply with a court order entered in a CHINS proceeding is contempt of court and is subject to sanctions of a fine of up to \$100 and confinement for up to seven days, or both. (RCW 13.32A.250 (2) (3)).

CHILD IN NEED OF SERVICES (CHINS) PROCEEDINGS

RCW 13.32A.030 – Definitions:

- **“Child,”** “juvenile,” and “youth” mean any un-emancipated individual who is under the chronological age of 18 years.
- **“Custodian”** means the person or entity who has the legal right to the custody of the child.
- **“Guardian”** means that person or agency that (a) has been appointed as the guardian of a child in a legal proceeding other than a proceeding under chapter 13.34 RCW, and (b) has the right to legal custody of the child pursuant to such appointment. **The term “guardian” does not include a “dependency guardian” appointed pursuant to a proceeding under chapter 13.34 RCW.**
- **“Parent”** means the parent(s) who have the legal right to custody of the child. “Parent” includes custodian or guardian.

Chapter 13.32A RCW has previously contained provisions relating to alternative residential (ARP) proceedings. These provisions authorized court approval of a child’s placement in out-of-home care in cases where parent-child conflict was so severe that the conflict cannot be resolved by the provision of services while the child remains in the family home. The 1995 amendments delete all references to ARP proceedings and create a new proceeding related to “children in need of services”.

RCW 13.32A.030 (5) defines a child in need of services (CHINS) to mean an un-emancipated child under age 18 who:

- (a) Is beyond parental control such that his/her behavior endangers the health, safety, or welfare of the child or any other person; or
- (b) Has been reported to law enforcement as a runaway for at least 24 consecutive hours on 2 or more separate occasions from the home of either parent, a crisis residential center (CRC), an out-of-home placement, or a court-ordered placement; and
 - (i) Has exhibited a serious substance abuse problem; or
 - (ii) Has exhibited behaviors that create a risk of serious harm to the health safety or welfare of the child or any other person; or
- (c)(i) Is in need of: (A) necessary services, including food, shelter, health care, clothing, or education; or (B) services designed to maintain or reunite the family;
 - (ii) Lacks access to, or has declined to use, these services; and
 - (iii) Whose parents have evidenced continuing but unsuccessful efforts to maintain the family structure or are unwilling to continue efforts to maintain the family structure.

The provision previously governing court proceedings in a CHINS proceeding mirror many of the provisions previously applicable to ARP (Alternative Residential Placement) proceedings. A CHINS petition may be filed by the child, the child’s

parent(s), or DSHS. DSHS is required to file a CHINS petition under specified circumstances. (RCW 13.324.140). The court cannot refuse to accept for filing a properly completed and presented CHINS petition. (Sec. 32). Whenever a CHINS petition is filed by a child or DSHS, the petitioner (child) shall serve a copy of the petition on the child's parents. Personal service shall be attempted first and if unsuccessful, service may be made by certified mail with return receipt. (Sec. 4). [Additionally, juvenile court is required to notify parents of their rights under Chapter 13.32A RCW, under guardianship (RCW 11.88) and dependency (RCW 13.34) statutes, and under statutes pertaining to treatment of juveniles for mental health (RCW 71.34) and substance abuse problems. (RCW 70.96A).(RCW 13.32A.160)

A fact-finding hearing on the petition must be held within five judicial days after the filing of a CHINS petition if the child resides in a place other than his or her parent's home and other than an out-of-home placement and 10 days if the child is living at home or in an out-of-home placement. (RCW 13.32A.160). Following the hearing, the court must: (a) enter an order for out-of-home placement of the child; (b) approve an at-risk youth petition filed by the child's parents; (c) dismiss the CHINS petition; or (d) order DSHS to review the case to determine whether a dependency petition should be filed. (RCW 13.324.170(2)). The court may approve the petition if the court finds that the child is in need of services. The criteria are identical to those previously applicable to approval of an ARY petition. If the court approves the petition, the court may enter an order for a temporary out-of-home placement not to exceed 14 days. (RCW 13.32A.170(1)).

A dispositional hearing must be held within 14 days after a temporary placement order is entered. (Sec. 20(1)). After the hearing, the court may: (a) reunite the family and dismiss the petition; (b) approve an at-risk youth petition filed by the parents; (c) approve a voluntary out-of-home placement of the child requested by the parents; (d) order any other conditions specified in RCW 13.32A.196; or (e) order DSHS to file a dependency petition. (Sec. 20(2)). If the court does not exercise one of these options, the court may enter an order for out-of-home placement not to exceed 90 days. The court may also order any of the conditions set forth in RCW 13.32A.196. (Sec. 20(3)). These conditions may include, but are not limited to, requirements that the child attend school, participate in counseling, participate in outpatient substance abuse or mental health treatment programs, report regularly to DSHS or any other person or agency specified by the court, and refrain from alcohol or drug use. (RCW 13.32A.196 (2))

The court must review the case within three months after entry of a 90-day placement order. (RCW 13.32A.190 (1)). The court must discontinue placement and order that the child return home if the court has reason to believe that the parents have made reasonable efforts to resolve the conflict and that the child's refusal to return home is capricious. (RCW 13.32A.190 (2)). Out-of-home placement may not be continued past 180 days after the three-month review hearing. The court must order the child to return home at that time. (RCW 13.32A.190 (3)).

Phone: _____ Drivers License: _____

Physical Description: Height: _____ Weight: _____ Eyes: _____

Hair Color: _____ Identifying Marks: _____

1.3 Information about the child's parents/legal custodian or guardian:

a. **Legal Name of Biological/Adopted Father:** _____

First Middle Last

Have you ever been known by any other first/last name? _____

Address: _____

Phone Number: (Work) _____ (Home) _____

WA Drivers License number: _____ Date of Birth: _____

b. **Legal Name of Biological/Adopted Mother:** _____

First Middle Last

Have you ever been known by any other first/last name? _____

Address: _____

Phone Number: (Work) _____ (Home) _____

WA Drivers License number: _____ Date of Birth: _____

c. **Marital Status of biological parents:** _____

Married, Separated, Divorced, Never Married

d. **Name of parent/guardian who has residential custody:** _____
(if divorced)

Address: _____

Phone Number: (Work) _____ (Home) _____

WA Drivers License number: _____ Date of Birth: _____

1.4 ☐ The child is not the subject of a dependency proceeding under Chapter 13.34 RCW.

☐ An At- Risk Youth (ARY) petition involving this child is active. The legal number is:

☐ A Truancy petition involving this child is active. The legal number is:

☐ An offender (criminal) matter involving this child is active: The legal number is:

1.5 The child is in need of services, as defined in RCW 13.32A.030 (5), in that:

☐ A. The child is beyond parental control such that the child's behavior endangers the health, safety, or welfare of the child or other person;

☐ B. The child has been reported to law enforcement as absent without consent for at least 24 consecutive hours on two or more separate occasions from the home of either parent, a crisis residential center (CRC), an out-of-home placement, or a court ordered placement; and

☐ (i) Has exhibited a serious substance abuse problem; or

☐ (ii) Has exhibited behaviors that create a risk of serious harm to the health, safety, or welfare of the child or any other person;

- ☐
C(i) The child is in need of: (A) Necessary services including food, shelter, health care, clothing, or education; or (B) services designed to maintain or reunite the family;
 - ☐
 (ii) Lacks access to, or has declined to utilize these services; and
 - ☐
 (iii) The child's parents have evidenced continuing but unsuccessful efforts to maintain the family structure or are unable or unwilling to continue efforts to maintain the family structure.

- 1.6
- ☐ A family assessment has been completed by Family Reconciliation Services (FRS) and verification thereof is attached to this petition.
 - ☐ FRS was unable to complete the family assessment within two working days of the petitioner's request.
 - ☐ A serious conflict exists between the parent and the child
 - ☐ If the petitioner is the child, he/she has made a reasonable effort to resolve the conflict.
 - ☐ Reasonable efforts have been made to prevent or eliminate the need for removal of the child from the child's home and to make it possible for the child to return home. The efforts made by the petitioner include the following (**list specific efforts: counseling, family meetings, etc**):

- 1.8 The allegation that the child is in need of services is based on the following facts (**list specific incidents by most recent date** which have led you to file this petition):

[illegible]

II. RELIEF REQUESTED

I/We request the Court order out-of-home placement for the child with the following person(s):

Proposed Placement full name & birth date:

Full Name(s) & birth dates of all others residing in the home:

Placement Address & Phone #:

The petitioner(s) request that the following recommendations, pursuant to 13.32A.196 be considered by the Court for inclusion in the dispositional order to assist in maintaining the care, custody, and control of the child. **These services can be requested of the parent, the child or both (specify which):**

- ☐ Regularly attend school with no unexcused absences, tardies, skipping classes, expulsions or suspensions and timely complete all assignments;
 - ☐ Provide parent(s) and Court with a written weekly school progress report;
- ☐ Participate in family counseling, follow all recommendations as to other treatment and/or programs, and sign releases of information;
- ☐ Participate in individual counseling, follow all recommendations and/or programs;
- ☐ Obtain a mental health (psychological/psychiatric) evaluation if recommended by an individual or family counselor, follow all recommendations and sign releases of information;
- ☐ Obtain a urinalysis U/A prior to leaving courthouse/detention;
- ☐ Obtain a drug/alcohol evaluation, follow treatment recommendations, and sign releases of information;
- ☐ Comply with present drug and alcohol treatment at _____;
- ☐ Submit to parent(s) and Court written treatment compliance reports every _____;

- ☐ Not use or possess tobacco products, controlled substances, drug paraphernalia, or alcohol or be at any place where they are being used;
- ☐ Abide by a curfew of Sunday to Thursday at _____ p.m. and Friday and Saturday at _____ p.m. This may be changed on a day to day basis by prior written approval of all parties or the placement;
- ☐ Notify petitioner(s) or placement of whereabouts at all times;
 - ☐ Obtain prior approval from petitioner/placement to be at a place other than school, work, treatment or _____;
 - ☐ Youth shall remain at home, except to attend school, treatment or events pre-approved in advance in writing by petitioner or placement. Such approval shall be in a specially kept notebook which shall be brought to court at the next hearing.
- ☐ Refrain from purposeful damage of property;
- ☐ All parties shall refrain from physical and verbal abuse and threats of abuse;
- ☐ Seek and/or maintain employment.
- ☐ Submit to parent(s) and Court a weekly job log showing proof of application for _____ jobs per _____;
- ☐ Reimburse petitioner for property damage and debts owed: _____

- ☐ Refrain from contact with following person(s): _____

- ☐ Comply with attached written house rules
- ☐ Other conditions: _____

<p style="text-align: center;">SUPERIOR COURT OF WASHINGTON COUNTY OF SNOHOMISH JUVENILE DEPARTMENT</p>	
<p>IN RE OF:</p>	<p>NO:</p> <p>FINANCIAL STATEMENT</p>

WARNING! This is to be a **SWORN STATEMENT**. To avoid misunderstanding, answer all questions. If none, answer **“NONE”**.
ADVISEMENT! Net income is defined as that income after mandatory deductions.

Parent/Legal Guardian (1st, middle, last)

Driver's License #

Address

City

Employer

\$ _____
Net Pay Per Month

Spouse of Parent/Legal Guardian (1st, middle, last)

Driver's License #

Address

City

Employer

\$ _____
Net Pay Per Month

SOURCES OF INCOME NOW RECEIVING:

Unemployment Compensation: \$ _____ per _____

Industrial Insurance: \$ _____ per _____

Welfare/S.S.I.: \$ _____ per _____

Veteran's Administration:	\$ _____	per _____
Retirement Pay/Pension:	\$ _____	per _____
Annuities/Trust Fund:	\$ _____	per _____
Separate Maintenance:	\$ _____	per _____
Child Support:	\$ _____	per _____
Other:	\$ _____	per _____

MY FAMILY LIVING WITH ME CONSISTS OF:

Spouse _____ Number of Children _____ Step-children _____ Others _____
 Myself _____ Total: _____

_____	_____	_____
Signature	Birth date	SS #
_____	_____	_____
Today's Date	Spouse's Birth date	Spouse's SS #